



# Illinois Ethics Matters

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*Honesty, Integrity, Service*

A newsletter from the Office of Executive Inspector General for the Agencies  
of the Illinois Governor

## Office of Executive Inspector General

**Ricardo Meza**  
Executive  
Inspector General

**David Keahl**  
Chief of Staff

**Kristy Shores**  
First Deputy Inspector  
General

**Daniel Hurtado**  
General Counsel

**Laura K. Bautista**  
Deputy Inspector  
General & Chief of  
Springfield Division

**Fallon Opperman**  
Deputy Inspector  
General & Chief of  
Regional Transit Board  
Division

**Chicago Office:**  
69 W. Washington St.  
Suite 3400  
Chicago, IL 60602  
(312) 814-5600

**Springfield Office:**  
607 E. Adams St.  
14<sup>th</sup> Floor  
Springfield, IL 62701  
(217) 558-5600

**Hotline:**  
Phone: (866) 814-1113

**TTY:**  
(888) 261-2734

## OEIG Investigation Reveals IDOT Violations of Hiring Policies



Press conference announcing the Executive Ethics Commission's public release of OEIG Final Summary Report In re: Ann Schneider, et al.

On Friday, August 22, 2014 an OEIG Final Summary Report regarding long-standing hiring practices at the Illinois Department of Transportation was publicly released. In re: Ann Schneider, et al. (11-01567), reveals a significant number of violations of rules intended to ensure that state agencies comply with the U.S. Supreme Court's ruling in *Rutan v. Republican Party of Illinois*.

In the *Rutan* decision, the Court held that only a limited number of positions in state government involving specified responsibilities such as policy-making or spokesperson duties may be filled on the basis of political affiliation. The overwhelming majority of State of Illinois jobs must be filled in a competitive merit-based manner. The process for filling these jobs is outlined in a series of governor's administrative orders, the most recent of which was issued by Governor Quinn as Administrative Order No. 2 (2009).

The violations we found involved IDOT's creation of the position titled "staff assistant." The OEIG determined that even though staff assistant position descriptions were created in a manner that made them exempt from the so-called *Rutan* hiring rules, the majority of persons hired as IDOT staff assistants **did not** perform the duties specified by their staff assistant position descriptions.

The OEIG also found that in various instances individuals hired into the staff assistant positions (without having to compete in the merit-based hiring process required for most state jobs) were:

- hired to perform duties of persons in positions subject to *Rutan* rules; or
- transferred into positions subject to *Rutan* rules after having avoided the *Rutan* hiring process by being initially hired into a staff assistant position; or
- able to subsequently secure positions subject to *Rutan* rules because of the experience they gained while performing duties under the title of staff assistant.

We are pleased that the Office of the Governor accepted all of our recommendations, including our recommendation that IDOT abolish the staff assistant position. A copy of our Final Summary Report in this matter may be found on our website.

The Office of Executive Inspector General will continue its efforts to monitor state agency hiring and employment practices.

**Ricardo Meza**  
Executive Inspector General